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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>FORTUNATO DE PAZ,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 08-74636

Agency No. A072-538-381

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted March 6, 2012**

Before: B. FLETCHER, REINHARDT, and TASHIMA, Circuit Judges.

Fortunato De Paz, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from the immigration judge’s (“IJ”) decision denying his application for asylum and withholding of removal. We have jurisdiction under 8 U.S.C. § 1252. We review

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

for substantial evidence the agency's factual findings and review de novo its legal conclusions. *Santos-Lemus v. Mukasey*, 542 F.3d 738, 742 (9th Cir. 2008). We deny the petition for review.

De Paz challenges the agency's determination that he abandoned his original asylum application. We reject De Paz's request to remand this case for further proceedings regarding abandonment, because the agency reviewed the claims De Paz included in his original application, treated De Paz's second asylum application as timely, and adjudicated the merits of these claims.

De Paz contends the IJ erred in its nexus determination because she failed to consider "government conscription," but De Paz does not challenge the IJ's additional dispositive finding that the threats De Paz experienced in El Salvador did not rise to the level of persecution. *See Martinez-Serrano v. INS*, 94 F.3d 1256, 1259-60 (9th Cir. 1996) (issues not supported by argument are deemed abandoned). Further, because De Paz testified he feared returning to El Salvador due to a lack of security, and due to gangs and thieves, the agency did not err in its analysis of De Paz's fear of future persecution. Accordingly, we deny the petition as to De Paz's asylum and withholding of removal claims.

PETITION FOR REVIEW DENIED.